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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 THE STATE OF CALIFORNIA
12 DEPARTMENT OF TOXIC
13 SUBSTANCES CONTROL, et al.,

CASE NO. CV-F-96-6055 REC LJO

**ORDER SETTING STATUS
CONFERENCE**

14 Plaintiffs,

15 vs.

Date: June 29, 2005
Time: 8:30 a.m.
Dept.: 6 (LJO)

16 COAST WOOD PRESERVING, INC.,
17 et al.,

18 Defendants.
19 /

20 This Court conducted a May 18, 2005 status conference. Plaintiff State of California Department
21 of Toxic Substances Control appeared by telephone by counsel Claudia Polsky, Attorney General's
22 Office of the State of California. Defendants appeared by counsel David Doyle, Doyle, Penner, Bradley
23 and Armstrong.

24 The parties informed the Court of the status of remediation efforts and soil removal and agreed
25 to a set a further status conference to address remediation developments and progress toward settlement.
26 DTSC identified three remaining items of disagreement: (1) cost estimate for DTSC's oversight until
27 the site closes, (2) cost estimate for the Regional Water Board's annual permit fees, and (3) cost estimate
28 for full paving of the site. In addition, a final issue is the financial assurance of the performance of three
items. Accordingly, this Court SETS a telephonic status conference for June 29, 2005 at 8:30 a.m. in
Department 6 (LJO) of this Court. Counsel shall appear at the status conference by telephone by

1 arranging a one-line conference call and then adding the Court at (559) 498-7322. At this conference,
2 defendant must be prepared to quantify its cost estimates for the above three items and identify the
3 means for financial assurance. If the parties are unable to reach an agreement at the status conference,
4 the Court intends to set a settlement conference wherein the parties and representatives will attend and
5 work towards final resolution of all remaining issues.

6 IT IS SO ORDERED.

7 **Dated: May 18, 2005**
b9ed48

/s/ Lawrence J. O'Neill
UNITED STATES MAGISTRATE JUDGE